



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 205231  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/552,087	04/21/2000	Unknown Byrum	04983.0169.US01/38-21

22930  
HOWREY SIMON ARNOLD & WHITE LLP  
BOX 34  
1299 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004

## FORMALITIES LETTER



\*OC000000005899243\*

Date Mailed: 03/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$78.
  - \$78 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 898.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

RECEIVED  
DOCKET DEPT.  
HOWREY SIMON ARNOLD & WHITE

MAR 30 2001

WASHINGTON, D.C.

# ARNOLD & PORTER

202.942.5000  
202.942.5999 Fax

555 Twelfth Street, NW  
Washington, DC 20004-1206



May 24, 2001

## ***Box Missing Parts***

Commissioner for Patents  
Washington, D.C. 20231

Re: Appl. No.: 09/552,087  
Filed: April 21, 2000  
Title: Nucleic Acid Molecules and Other Molecules Associated  
with Plants  
Inventor: Joseph R. Byrum *et al.*  
Atty. Docket: 16517.135 [formerly 04893.0169.NPUS01/38-21(15786)B]

Sir:

The following documents are forwarded herewith for appropriate action in the above captioned application by the U.S. Patent and Trademark Office:

1. a Response to the Notice to File Missing Parts (in duplicate);
2. a copy of the Notice to File Missing Parts;
3. an executed Combined Declaration and Power of Attorney executed by Joseph R. Byrum (3 pages);
4. an executed Combined Declaration and Power of Attorney executed by David K. Kovalic (3 pages);
5. check number 129371 in the amount of \$898 covering the \$690 dollars to complete the basic filing fee, \$78 in additional claim fees and the \$130 surcharge for the late filing of an oath of declaration; and
6. a return postcard.

# ARNOLD & PORTER

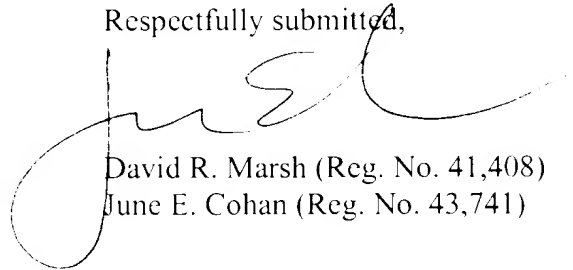
Commissioner for Patents  
May 24, 2001  
Page 2

It is noted that the Attorney Docket Number associated with this application has changed. It is requested that the Patent and Trademark Office up date their files to reflect 16517.135 as the Attorney Docket Number associated with the above captioned matter.

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to Arnold and Porter deposit account 50-1824 referencing matter number 16517.135.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'DM', is written over the typed name of David R. Marsh.

David R. Marsh (Reg. No. 41,408)  
June E. Cohan (Reg. No. 43,741)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of:

Joseph R. Byrum *et al.*

Art Unit: 1649

Appln. No.: 09/552,087

Examiner: To Be Assigned

Filed: April 21, 2000

Atty. Docket: 16517.135

For: Nucleic Acid Molecules and Other  
Molecules Associated with Plants

**Response to Notice to File Missing Parts of Application**

**Box Missing Parts**

Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted dated March 26, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts of Application – Filing Date Granted;
2. An original Combined Declaration and Power of Attorney, executed by Joseph R. Byrum (3 pages);
3. An original Combined Declaration and Power of Attorney, executed by David K. Kovalic (3 pages);
4. Check No. 129371 in the amount of \$898 to cover:

\$ 690.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);

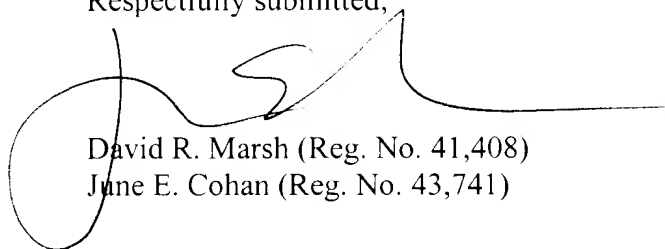
\$ 78.00 Fee for 1 independent claim in excess of three ; and

\$ 130.00 Surcharge for late filing of oath or declaration (37 C.F.R. § 1.16 (e))

The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, or credit any overpayment, to Arnold and Porter Deposit Account No. 50-1824 referencing matter number 16517.135.

If extensions of time under 37 C.F.R. § 1.136 are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to Arnold and Porter Deposit Account No. 50-1824 referencing matter number 16517.135. A duplicate copy of this Response is enclosed.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be 'D. Marsh', with a long horizontal line extending to the right.

David R. Marsh (Reg. No. 41,408)  
June E. Cohan (Reg. No. 43,741)

Date: May 24, 2001

ARNOLD & PORTER  
555 Twelfth Street, N.W.  
Washington, D.C. 20004-1206  
(202) 942-5000 telephone  
(202) 942-5999 facsimile